

HOUSE JOURNAL

SEVENTY-FIFTH LEGISLATURE, REGULAR SESSION

PROCEEDINGS

THIRTEENTH DAY — WEDNESDAY, FEBRUARY 5, 1997

The house met at 10 a.m. and was called to order by the speaker.

The roll of the house was called and a quorum was announced present (Record 15).

Present — Mr. Speaker; Alexander; Allen; Alvarado; Averitt; Bailey; Berlanga; Bonnen; Bosse; Brimer; Burnam; Carter; Chavez; Chisum; Christian; Clark; Coleman; Cook; Corte; Counts; Crabb; Craddick; Cuellar; Culberson; Danburg; Davila; Davis; Delisi; Denny; Driver; Dukes; Dunnam; Dutton; Edwards; Ehrhardt; Eiland; Elkins; Farrar; Finnell; Flores; Gallego; Galloway; Garcia; Giddings; Glaze; Goodman; Goolsby; Gray; Greenberg; Grusendorf; Gutierrez; Haggerty; Hamric; Hartnett; Hawley; Heflin; Hernandez; Hightower; Hilbert; Hilderbran; Hill; Hirschi; Hocahberg; Hodge; Holzheuser; Horn; Howard; Hunter; Hupp; Isett; Jackson; Janek; Jones, D.; Jones, J.; Junell; Kamel; Keel; Keffer; King; Krusee; Kubiak; Kuempel; Lewis, G.; Lewis, R.; Longoria; Luna; Madden; Marchant; Maxey; McCall; McClendon; McReynolds; Merritt; Moffat; Moreno; Mowery; Naishtat; Nixon; Oakley; Oliveira; Olivo; Palmer; Patterson; Pickett; Pitts; Place; Price; Puente; Rabuck; Ramsay; Rangel; Raymond; Reyna, A.; Reyna, E.; Rhodes; Roman; Sadler; Seaman; Serna; Shields; Siebert; Smith; Smithee; Solis; Solomons; Staples; Stiles; Swinford; Talton; Telford; Thompson; Tillery; Torres; Turner, B.; Turner, S.; Uher; Van de Putte; Walker; West; Williams; Williamson; Wilson; Wise; Wohlgemuth; Wolens; Woolley; Yarbrough; Zbranek.

Absent, Excused — Hinojosa; Rodriguez.

The invocation was offered by Jerry Bullock, pastor, Hill Country Church, San Marcos, as follows:

Heavenly Father, we pray that you will bless these men and women chosen by the people of Texas to serve in this body. You know our needs, our motives, our hearts, and our hopes. We acknowledge that you govern the affairs of men.

It is written that even the fall of a sparrow is of concern to you. Can we then believe that you would be indifferent to what we say and do here this day?

Make clear to us, therefore, those things you would have us to do and keep us from those things we ought not to do lest we be blinded by our own stubbornness.

Lord, put your arms around us, give us your strength and wisdom beyond ourselves. Bless each one according to his or her deepest need.

So help us all this day, through Jesus Christ our lord. Amen.

LEAVES OF ABSENCE GRANTED

The following member was granted leave of absence for today because of important business in the district:

Hinojosa on motion of Serna.

The following member was granted leave of absence for today because of important business:

Rodriguez on motion of Kubiak.

MESSAGE FROM THE SENATE

A message from the senate was received at this time (see the addendum to the daily journal, Messages from the Senate, Message No. 1).

BILLS AND RESOLUTIONS SIGNED BY THE SPEAKER

Notice was given at this time that the speaker had signed bills and resolutions in the presence of the house (see the addendum to the daily journal, Signed by the Speaker, House List No. 4).

CAPITOL PHYSICIAN

The speaker recognized Representative Rangel who presented Dr. Leopoldo M. Muniz of Rio Grande City as the "Doctor for the Day."

The house welcomed Dr. Muniz and thanked him for his participation in the Physician of the Day Program sponsored by the Texas Academy of Family Physicians.

HR 100 - ADOPTED (by Greenberg)

Representative Greenberg moved to suspend all necessary rules to take up and consider at this time **HR 100**.

The motion prevailed without objection.

The speaker laid before the house the following resolution:

HR 100, Recognizing February 5, 1997, as the Day of the Great Austin Bash.

HR 100 was read and was adopted without objection.

INTRODUCTION OF GUESTS

The speaker recognized Representative Greenberg and members of the Austin delegation, Representatives Maxey, Keel, Naishtat, and Dukes, who introduced the sponsor committee for the Great Austin Bash: Bruce Todd, mayor of Austin; Bill Aleshire, county judge; Valarie Bristol and Karen Sonleitner, county commissioners; Beverly Griffith, city councilmember; Mike Laosa, publisher of the Austin American-Statesman; Pete Winstead, chairman of the Greater Austin Chamber of Commerce; Tom Stacy, chairman of the Downtown Austin Alliance; and Michael Von Ohlen, chairman of the board of Capitol Metro.

HCR 51 - ADOPTED (by Ramsay)

Representative Ramsay moved to suspend all necessary rules to take up and consider at this time **HCR 51**.

The motion prevailed without objection.

The speaker laid before the house the following resolution:

HCR 51, Recognizing February 5, 1997, as Pittsburg Day at the State Capitol.

HCR 51 was read and was adopted without objection.

HCR 50 - ADOPTED
(by Chavez)

Representative Chavez moved to suspend all necessary rules to take up and consider at this time **HCR 50**.

The motion prevailed without objection.

The speaker laid before the house the following resolution:

HCR 50, Recognizing February 5, 1997, as El Paso Day at the Capitol.

HCR 50 was read and was adopted without objection.

On motion of Representative Haggerty, the names of all the members of the house were added to **HCR 50** as signers thereof.

HR 84 - ADOPTED
(by McClendon)

Representative McClendon moved to suspend all necessary rules to take up and consider at this time **HR 84**.

The motion prevailed without objection.

The speaker laid before the house the following resolution:

HR 84, Honoring Joyce Sowell for her community service.

HR 84 was adopted without objection.

HR 85 - ADOPTED
(by McClendon)

Representative McClendon moved to suspend all necessary rules to take up and consider at this time **HR 85**.

The motion prevailed without objection.

The speaker laid before the house the following resolution:

HR 85, Honoring Ruth Burns for her community service.

HR 85 was adopted without objection.

HR 86 - ADOPTED
(by McClendon)

Representative McClendon moved to suspend all necessary rules to take up and consider at this time **HR 86**.

The motion prevailed without objection.

The speaker laid before the house the following resolution:

HR 86, Honoring Helen Austin for her community service.

HR 86 was adopted without objection.

HR 87 - ADOPTED
(by McClendon)

Representative McClendon moved to suspend all necessary rules to take up and consider at this time **HR 87**.

The motion prevailed without objection.

The speaker laid before the house the following resolution:

HR 87, Honoring Hattie Briscoe on her community service.

HR 87 was adopted without objection.

HR 88 - ADOPTED
(by McClendon)

Representative McClendon moved to suspend all necessary rules to take up and consider at this time **HR 88**.

The motion prevailed without objection.

The speaker laid before the house the following resolution:

HR 88, Honoring John Etta Slaughter for her community service.

HR 88 was adopted without objection.

HR 101 - ADOPTED
(by G. Lewis)

Representative G. Lewis moved to suspend all necessary rules to take up and consider at this time **HR 101**.

The motion prevailed without objection.

The speaker laid before the house the following resolution:

HR 101, Commending Alpha Phi Alpha Fraternity, Inc.

HR 101 was adopted without objection.

HR 89 - ADOPTED
(by Gutierrez)

Representative Gutierrez moved to suspend all necessary rules to take up and consider at this time **HR 89**.

The motion prevailed without objection.

The speaker laid before the house the following resolution:

HR 89, Congratulating the Honorable Ismael "Kino" Flores and Debra Garcia Flores on their 20th wedding anniversary.

HR 89 was read and was adopted without objection.

HR 79 - ADOPTED
(by R. Lewis)

Representative R. Lewis moved to suspend all necessary rules to take up and consider at this time **HR 79**.

The motion prevailed without objection.

The speaker laid before the house the following resolution:

HR 79, Congratulating Port Neches Mayor Frances Monk on being named the 1996 Woman of the Year by the Port Arthur Quota Club.

HR 79 was adopted without objection.

HR 90 - ADOPTED
(by Kubiak)

Representative Kubiak moved to suspend all necessary rules to take up and consider at this time **HR 90**.

The motion prevailed without objection.

The speaker laid before the house the following resolution:

HR 90, Honoring Joe and Donna Rychlik on the occasion of their 25th wedding anniversary.

HR 90 was adopted without objection.

On motion of Representative Edwards, the names of all the members of the house were added to **HR 90** as signers thereof.

HCR 27 - ADOPTED
(by Eiland)

Representative Eiland moved to suspend all necessary rules to take up and consider at this time **HCR 27**.

The motion prevailed without objection.

The speaker laid before the house the following resolution:

HCR 27, Congratulating the La Marque Cougars.

HCR 27 was adopted without objection.

HR 70 - ADOPTED
(by Torres)

Representative Torres moved to suspend all necessary rules to take up and consider at this time **HR 70**.

The motion prevailed without objection.

The speaker laid before the house the following resolution:

HR 70, Congratulating Johnnie Rountree on being named School Board Trustee of the Year by the Texas Classroom Teachers Association.

HR 70 was adopted without objection.

RULES SUSPENDED

Representative Rangel moved to suspend all necessary rules to allow the Committee on Higher Education to meet with the Committee on Appropriations, Subcommittee on Education.

The motion prevailed without objection.

Representative S. Turner moved to suspend all necessary rules to allow the Committee on Appropriations, Subcommittee on Public Safety, Juvenile Justice, and Judiciary to meet.

The motion prevailed without objection.

COMMITTEE MEETING ANNOUNCEMENTS

The following committee meetings were announced:

Appropriations, Subcommittee on Education and Subcommittee on Public Safety, Juvenile Justice, and Judiciary, 8 a.m. Thursday, February 6, E1.030, Capitol Extension, to meet with the Committee on Higher Education, Subcommittee on Appropriations.

Juvenile Justice and Family Issues, 1:15 p.m. today, E1.026, Capitol Extension.

Public Health, 2 p.m. today, E2.026, Capitol Extension.

Elections, Tuesday, February 11, for an organizational meeting.

PROVIDING FOR ADJOURNMENT

Representative Serna moved that, at the conclusion of the reading of bills and resolutions on first reading and referral to committees, the house adjourn until 10 a.m. tomorrow in memory of Guadalupe Espinoza.

The motion prevailed without objection.

BILLS AND JOINT RESOLUTIONS ON FIRST READING AND REFERRAL TO COMMITTEES RESOLUTIONS REFERRED TO COMMITTEES

Bills and joint resolutions were at this time laid before the house, read first time, and referred to committees. Resolutions were at this time laid before the house and referred to committee. (See the addendum to the daily journal, Referred to Committees, List No. 1.)

ADJOURNMENT

In accordance with a previous motion, the house, at 11:17 a.m., adjourned until 10 a.m. tomorrow.

ADDENDUM

REFERRED TO COMMITTEES

The following bills and joint resolutions were today laid before the house, read first time, and referred to committees, and the following resolutions were today laid before the house and referred to committees. If indicated, the chair today corrected the referral of the following measures:

List No. 1

HB 676 (by Solomons), Relating to the maintenance of certain juvenile law enforcement records and files.

To Juvenile Justice & Family Issues.

HB 677 (by Solomons), Relating to the punishment for a child who sells, manufactures, distributes, or possesses a document that is deceptively similar to a driver's license.

To Juvenile Justice & Family Issues.

HB 678 (by Solomons), Relating to the waiver of certain rights by a child.
To Juvenile Justice & Family Issues.

HB 679 (by B. Turner), Relating to permitting certain county law enforcement officers in rural areas to receive reduced airline fares while engaged in certain official duties.

To State Affairs.

HB 680 (by B. Turner, Hawley, Keffer, Counts, Hupp, et al.), Relating to used fire control or fire rescue equipment donated to or made available by the Texas Forest Service.

To Agriculture & Livestock.

HB 681 (by B. Turner), Relating to the use of military service credit established in the Employees Retirement System of Texas.

To Pensions & Investments.

HB 682 (by B. Turner), Relating to the establishment of credit in the Employees Retirement System of Texas for certain military service.

To Pensions & Investments.

HB 683 (by Woolley, Greenberg, Telford, and Giddings), Relating to authorization of the creation of Texas growth fund II.

To Pensions & Investments.

HB 684 (by Woolley), Relating to changing a person's date of birth to a statement of age on certain election documents.

To Elections.

HB 685 (by B. Turner), Relating to issuance of special license plates for a vehicle used to transport a person with a disability.

To Transportation.

HB 686 (by Hunter and Van de Putte), Relating to the designation and use of certain symbols of the State of Texas.

To State, Federal & International Relations.

HB 687 (by Maxey and Dukes), Relating to prevention and treatment of diabetes.

To Public Health.

HB 688 (by Maxey and Dukes), Relating to a report by the Texas Department of Health on immunization rates.

To Public Health.

HB 689 (by Maxey, Naishtat, and Dukes), Relating to measurement of fraud in certain state-funded health care programs.

To State Affairs.

HB 690 (by Maxey, Dukes, and Naishtat), Relating to electronic assistance provided by the Health and Human Services Commission.

To Human Services.

HB 691 (by Thompson), Relating to the erection of sound barrier walls along certain parts of Interstate Highway 610 in Houston.

To Transportation.

HB 692 (by Brimer), Relating to continuing education requirements for real estate brokers and salesmen.

To Licensing & Administrative Procedures.

HB 693 (by Brimer), Relating to the suspension or revocation of a real estate license for failure to include a termination date in certain real estate contracts.

To Licensing & Administrative Procedures.

HB 694 (by Reyna, Elvira), Relating to the punishment for the offense of evading arrest.

To Criminal Jurisprudence.

HB 695 (by Dutton), Relating to the forfeiture of motor vehicles used in the commission of certain offenses involving prostitution.

To Criminal Jurisprudence.

HB 696 (by Dutton), Relating to court reporting firms.

To Judicial Affairs.

HB 697 (by Dutton), Relating to contracting by court reporters.

To Judicial Affairs.

HB 698 (by Cuellar and McClendon), Relating to the creation of an appellate judicial system for the Fourth Court of Appeals District.

To Judicial Affairs.

HB 699 (by Coleman), Relating to the requirements for licensing as a professional counselor.

To Human Services.

HB 700 (by Keel), Relating to the punishment for the offense of theft.

To Criminal Jurisprudence.

HB 701 (by Keel), Relating to the punishment for the offense of disorderly conduct involving discharge of a firearm.

To Criminal Jurisprudence.

HB 702 (by Keel), Relating to certain technical corrections to the Penal Code.

To Criminal Jurisprudence.

HB 703 (by Maxey and Dukes), Relating to false claims made with certain governmental entities; providing a civil penalty.

To State Affairs.

HB 704 (by R. Lewis), Relating to the ability of voters in certain counties to petition a commissioners court to increase the salary of members of the county sheriff's department.

To County Affairs.

HB 705 (by Dutton), Relating to the right of a person arrested for the offense of public intoxication to request an analysis of the person's blood or breath to determine intoxication.

To Criminal Jurisprudence.

HB 706 (by Cook), Relating to granting the Bastrop County Water Control and Improvement District No. 2 the powers and duties of a road district.

To Natural Resources.

HB 707 (by Hamric), Relating to payroll deductions for insurance premiums paid by certain county employees.

To County Affairs.

HB 708 (by Hamric), Relating to certain county and public health district fees.

To County Affairs.

HB 709 (by R. Lewis), Relating to the appointment of members to the Parks and Wildlife Commission.

To State Recreational Resources.

HB 710 (by Averitt, et al.), Relating to the implementation of federal reforms and the Texas Health Insurance Risk Pool.

To Insurance.

HB 711 (by Cuellar and McClendon), Relating to highway route designations for non-radioactive hazardous materials.

To Transportation.

HB 712 (by Madden), Relating to discrimination against employees in certain businesses in the issuance of a group health benefit plan.

To Insurance.

HB 713 (by D. Jones, Isett, et al.), Relating to defense economic readjustment zones; authorizing the issuance of bonds.

To State, Federal & International Relations.

HB 714 (by D. Jones, Isett, et al.), Relating to a grant or loan for a local area adversely affected by a reduction in defense-related activity.

To State, Federal & International Relations.

HB 715 (by Bosse), Relating to disabled veterans' parking privileges.

To Transportation.

HB 716 (by Bosse and Naishtat), Relating to the definition of "affected person" for purposes of a contested case hearing held by or for the Texas Natural Resource Conservation Commission.

To Natural Resources.

HB 717 (by Bosse and Krusee), Relating to the disposal or temporary storage of litter or solid waste.

To Environmental Regulation.

HB 718 (by Bosse), Relating to the appointment of a fire commissioner in certain rural fire prevention districts.

To County Affairs.

HB 719 (by Maxey), Relating to the power to appoint the commissioners of a housing authority in certain municipalities.

To Urban Affairs.

HB 720 (by Maxey and Dukes), Relating to the authority of the comptroller to contract for certain tax collection services.

To Ways & Means.

HB 721 (by Alexander), Relating to certain fees collected by a justice of the peace.

To County Affairs.

HB 722 (by Alexander), Relating to the expansion of the areas where proceeds of the branch campus maintenance tax may be used.

To Ways & Means.

HB 723 (by Dukes, Danburg, Palmer, McClendon, Thompson, et al.), Relating to informed consent before the performance of a hysterectomy.

To Public Health.

HB 724 (by Serna), Relating to transfers of contributions to the optional retirement program for faculty members of institutions of higher education.

To Pensions & Investments.

HB 725 (by Eiland), Relating to the summoning and payment of witnesses in certain civil suits.

To County Affairs.

HB 726 (by Hunter), Relating to the authority of the Texas Historical Commission to accept donations and services from a volunteer or volunteer group.

To State, Federal & International Relations.

HB 727 (by Van de Putte), Relating to the regulation of massage therapy; providing penalties.

To Public Health.

HB 728 (by Van de Putte), Relating to the provision of Texas Poison Center Network Services to other jurisdictions and entities.

To Public Health.

HB 729 (by Van de Putte), Relating to the facilities covered by and the emergency authority of the Texas Department of Health under the lead abatement law.

To Public Health.

HB 730 (by Shields), Relating to promoting security and safety for neighborhood residents by permitting the limiting of access to certain municipal streets and alleys.

To Urban Affairs.

HB 731 (by Shields), Relating to the funding of the telecommunications infrastructure fund.

To State Affairs.

HB 732 (by Staples), Relating to the jurisdiction of the Anderson County Court at Law.

To Judicial Affairs.

HB 733 (by Raymond), Relating to the lease of certain state facilities.

To Land & Resource Management.

HB 734 (by Raymond), Relating to development of a statewide consumer guide for senior citizens.

To Human Services.

HB 735 (by Kuempel), Relating to investments by the boards of trustees of local retirement systems for firefighters.

To Pensions & Investments.

HB 736 (by Palmer), Relating to the creation of municipal courts of record in Lake Worth.

To Judicial Affairs.

HB 737 (by Kubiak), Relating to resale of certain electric power.

To State Affairs.

HB 738 (by Howard and Olivo), Relating to the creation of two judicial districts in Fort Bend County.

To Judicial Affairs.

HB 739 (by Hunter and Smithee), Relating to the award by certain municipalities of contracts to local bidders.

To Urban Affairs.

HB 740 (by Solomons), Relating to mechanics', contractors', and materialmen's liens; providing penalties.

To Business & Industry.

HB 741 (by Moffat), Relating to the sale of certain assets owned by the Lower Colorado River Authority.

To Natural Resources.

HB 742 (by Hochberg), Relating to an encumbrance on homestead property for the purpose of a reverse mortgage; imposing an administrative penalty.

To Financial Institutions.

HB 743 (by Goolsby), Relating to the offense of arranging, conducting, or participating in certain drinking games.

To Licensing and Administrative Procedures.

HB 744 (by Goolsby), Relating to the regulation of geologists and geophysicists; providing a criminal penalty.

To Licensing & Administrative Procedures.

HB 745 (by Williams), Relating to requiring certain municipalities to hold an election in an area proposed to be annexed.

To Land & Resource Management.

HB 746 (by Maxey and Ehrhardt), Relating to the application of the open meetings law to certain meetings of governmental bodies.

To State Affairs.

HB 747 (by Wise), Relating to the distributing of a portion of the proceeds of criminal asset forfeiture to programs designed to prevent youthful drug abuse.

To Criminal Jurisprudence.

HB 748 (by Wise), Relating to compensation of school district trustees.
To Public Education.

HB 749 (by Dunnam), Relating to the discharge of criminal proceedings because of delay in presentment of an information or indictment.

To Criminal Jurisprudence.

HB 750 (by Berlanga, et al.), Relating to coverage under health benefit plans for certain supplies and services associated with the treatment of diabetes.
To Public Health.

HB 751 (by Crabb), Relating to the disannexation of certain areas annexed on or after December 1, 1996, by certain municipalities.

To Land & Resource Management.

HB 752 (by Alexander), Relating to the creation of the offense of domestic assault.

To Criminal Jurisprudence.

HB 753 (by Denny), Relating to the place for voting a limited ballot by personal appearance.

To Elections.

HB 754 (by Denny), Relating to the making and reporting of certain political contributions and expenditures.

To Elections.

HB 755 (by Maxey, McClendon, Naishtat, et al.), Relating to certain administrative penalties assessed against nursing homes and similar institutions.

To Human Services.

HB 756 (by Bailey), Relating to an exemption from ad valorem taxation of the property of a neighborhood association.

To Ways & Means.

HB 757 (by Moffat), Relating to parental consent to an abortion performed on a minor; providing a criminal penalty.

To State Affairs.

HB 758 (by West), Relating to the sales and use tax rate of certain hospital districts.

To Ways & Means.

HB 759 (by Howard), Relating to associate judges appointed by the district courts and county courts at law of Fort Bend County.

To Judicial Affairs.

HB 760 (by Shields), Relating to a franchise tax credit for contributions made to medical savings accounts.

To Ways & Means.

HB 761 (by Nixon), Relating to the notice required before a sexually oriented business may be constructed, operated, or used; providing penalties.
To Land & Resource Management.

HB 762 (by Averitt), Relating to the preparation, sale, or distribution of academic materials for profit.
To Higher Education.

HB 763 (by Averitt), Relating to prohibiting the licensing or operation of a rock quarry near Fort Parker State Park.
To Land & Resource Management.

HB 764 (by Maxey), Relating to the application of the open meetings law to certain deliberations of the governing bodies of entities that are parties to certain contracts with the State of Texas.
To State Affairs.

HB 765 (by Maxey), Relating to specialized emergency medical services provider qualifications.
To Public Health.

HB 766 (by Junell and Sadler), Relating to the technology allotment under the foundation school program.
To Public Education.

HB 767 (by Junell, et al.), Relating to an exemption from tuition and fees at a public institution of higher education for certain students in foster or other residential care.
To Higher Education.

HB 768 (by Junell), Relating to discrimination against an employee based on a claim for workers' compensation benefits and to remedies in an action alleging that discrimination.
To Business & Industry.

HB 769 (by Gallego), Relating to the treatment of repeat sex offenders.
To Corrections.

HB 770 (by Haggerty), Relating to the acquisition by the Parks and Wildlife Department of real property owned by the permanent school fund.
To Land & Resource Management.

HB 771 (by D. Jones), Relating to the definition of a record for records management and archival purposes.
To State Affairs.

HB 772 (by D. Jones), Relating to the apportionment of the state into congressional districts.
To Redistricting.

HB 773 (by Seaman), Relating to vessels and obstructions in fish passes.
To State Recreational Resources.

HB 774 (by Seaman), Relating to county regulation of the possession of glass containers at a public park or beach; providing a criminal penalty.
To County Affairs.

HB 775 (by Tillery), Relating to the disposition of certain juveniles who unlawfully possess a weapon.

To Juvenile Justice & Family Issues.

HB 776 (by Tillery), Relating to a municipal drainage utility system.

To Urban Affairs.

HB 777 (by Tillery), Relating to the authority of a municipality to create an industrial development corporation and to levy a sales and use tax to carry out the projects of the corporation.

To Economic Development.

HB 778 (by Tillery), Relating to counties that are authorized to create a civil service system by order or election.

To County Affairs.

HB 779 (by Tillery, et al.), Relating to the punishment and eligibility for release on parole for certain defendants convicted of assaultive offenses, including sexual assault, and for certain offenses committed with intent to commit assaults.

To Corrections.

HB 780 (by Tillery), Relating to the eligibility for release on parole of a prisoner serving a sentence for the murder of an individual under the age of 17 years.

To Corrections.

HB 781 (by Tillery, et al.), Relating to the eligibility of certain sex offenders for deferred adjudication.

To Criminal Jurisprudence.

HB 782 (by Hamric), Relating to voter approval of certain municipal annexations.

To Land & Resource Management.

HB 783 (by Gallego), Relating to the assignment of certain appellate judges and justices as visiting judges.

To Judicial Affairs.

HB 784 (by Gallego), Relating to the hearing of oral argument by appellate courts.

To Judicial Affairs.

HB 785 (by Gallego), Relating to venue in a suit against a political subdivision.

To Civil Practices.

HB 786 (by Gallego), Relating to statistics gathered by the Texas Judicial Council.

To Judicial Affairs.

HB 787 (by Gallego), Relating to fees collected by a court of appeals.

To Judicial Affairs.

HB 788 (by Gallego), Relating to service retirement and death benefits for certain peace officers under the Teacher Retirement System of Texas.

To Pensions & Investments.

HB 789 (by Gallego), Relating to the imposition of a fee on certain criminal defendants to fund improvements in court technology and judicial administration.

To Criminal Jurisprudence.

HB 790 (by Gallego), Relating to payment of compensation to employees of the Department of Public Safety.

To State Affairs.

HB 791 (by Gallego), Relating to the authority of the Office of Court Administration to request, accept, and administer gifts, grants, and donations.

To Judicial Affairs.

HB 792 (by R. Lewis), Relating to meetings of the State Board of Education.

To Public Education.

HB 793 (by Merritt, Ramsay, et al.), Relating to notice that entry on property is forbidden for the purpose of prosecuting the offense of trespass.

To Criminal Jurisprudence.

HB 794 (by Rodriguez), Relating to intergovernmental contracting by certain hospital districts.

To County Affairs.

HB 795 (by Rodriguez and Naishtat), Relating to school social workers and to social services provided by public schools.

To Public Education.

HB 796 (by Bosse), Relating to maximum contributions to and benefits from retirement systems for police officers in certain municipalities.

To Pensions & Investments.

HB 797 (by Carter, Naishtat, Luna, et al.), Relating to requiring the use of protective helmets for bicycle safety; providing criminal penalties.

To Public Safety.

HB 798 (by Torres), Relating to the fees paid in certain counties for the purpose of road and bridge maintenance and construction.

To County Affairs.

HB 799 (by Elkins), Relating to the issuance of short-term obligations by certain counties.

To Financial Institutions.

HB 800 (by Kamel and Glaze), Relating to the creation of a judicial district composed of Smith County.

To Judicial Affairs.

HB 801 (by Tillery), Relating to performance audits of certain municipal utility districts by the comptroller.

To Natural Resources.

HB 802 (by Hodge and Dukes), Relating to the coordination of tenant services programs.

To Urban Affairs.

HB 803 (by Kuempel), Relating to investment of the volunteer firefighters' relief and retirement fund.

To Pensions & Investments.

HB 804 (by Goolsby, Olivo, Raymond, and Farrar), Relating to motor vehicle insurance rates for certain individuals with good driving records.

To Insurance.

HB 805 (by Goolsby), Relating to establishing policy boards for certain public institutions of higher education to assist in the governance of those institutions.

To Higher Education.

HB 806 (by Greenberg, Place, and Wilson), Relating to the murder of a peace officer as a capital offense.

To Criminal Jurisprudence.

HB 807 (by Puente), Relating to requiring certain pharmacists to provide certain drugs to certain clinics.

To Public Health.

HB 808 (by Goolsby), Relating to the creation of a temporary charitable auction permit; providing a penalty.

To Licensing and Administrative Procedures.

HB 809 (by Berlanga, Luna, and Seaman), Relating to the change of name of Corpus Christi State University to Texas A&M University—Corpus Christi and to eliminating certain obsolete provisions relating to the university.

To Higher Education.

HB 810 (by Oliveira), Relating to certain persons who are presumed to be the father of a child.

To Juvenile Justice & Family Issues.

HB 811 (by Shields), Relating to liability insurance provided by a school district for certain purposes.

To Public Education.

HB 812 (by Janek, E. Reyna, Christian, Pickett, and Galloway), Relating to certain contracts between health maintenance organizations and physicians or other providers.

To Insurance.

HB 813 (by Maxey), Relating to rates for insurance provided under the Small Employer Health Insurance Availability Act.

To Insurance.

HB 814 (by Danburg), Relating to the title of certain persons licensed to sell real estate.

To Licensing & Administrative Procedures.

HB 815 (by Danburg), Relating to the regulation of the sale or distribution of tobacco products; providing penalties.

To State Affairs.

HB 816 (by Ehrhardt), Relating to waivers.

To Public Education.

HB 817 (by Wilson, Thompson, and Stiles), Relating to the terms of, and term limits on, the members of certain municipal governing bodies.

To Urban Affairs.

HB 818 (by Cuellar and Dukes), Relating to the elimination of dual supervision of certain persons by the pardons and paroles division of the Texas Department of Criminal Justice and community supervision and corrections departments.

To Corrections.

HB 819 (by Cuellar and Dukes), Relating to reducing the recidivism rate for individuals under the supervision of the Texas Department of Criminal Justice.

To Corrections.

HB 820 (by Cuellar, Coleman, Maxey, and Dukes), Relating to civil actions to recover fraudulent Medicaid claims.

To Public Health.

HB 821 (by Keel), Relating to permitting an arrest without warrant for certain intoxication offenses.

To Criminal Jurisprudence.

HB 822 (by Hawley), Relating to the regulatory authority of a county over wild animals.

To County Affairs.

HB 823 (by Hawley), Relating to the transportation of public school students.

To Public Education.

HB 824 (by Hawley), Relating to the expulsion of public school students for certain drug offenses.

To Public Education.

HB 825 (by Hawley), Relating to the admission of public school students who have been expelled.

To Public Education.

HB 826 (by B. Turner), Relating to the tax rate of the Sutton County Hospital District.

To Ways & Means.

HB 827 (by B. Turner), Relating to hunting and fishing licenses for certain disabled veterans and certain military personnel.

To State Recreational Resources.

HB 828 (by B. Turner and Madden), Relating to legislative review and gubernatorial suspension of certain rules of state agencies.

To State Affairs.

HB 829 (by Alexander and B. Turner), Relating to the appraisal for ad valorem tax purposes of land used for wildlife management.

To Ways & Means.

HB 830 (by Alexander), Relating to the civil and criminal consequences of operating a motor vehicle while intoxicated.

To Criminal Jurisprudence.

HB 831 (by Gray, et al.), Relating to minimum coverage under certain health benefit plans for inpatient stays after a mastectomy.
To Insurance.

HB 832 (by Pickett), Relating to requiring escrow agents dealing primarily in real estate transactions to be bonded; providing a civil penalty.
To Financial Institutions.

HB 833 (by Junell), Relating to exempting real property owned by this state from attachment, execution, or forced sale.
To Land & Resource Management.

HB 834 (by Junell), Relating to the delay of certain payments or transfers from the general revenue fund.
To Appropriations.

HB 835 (by Junell, et al.), Relating to the expiration and readoption of state agency rules.
To State Affairs.

HB 836 (by Gallego and Luna), Relating to optional extended year programs conducted by certain public school districts.
To Public Education.

HB 837 (by West), Relating to the disposition of stolen property pending the trial of an offense involving the theft of the property.
To Criminal Jurisprudence.

HB 838 (by Nixon), Relating to participation in University Interscholastic League sponsored activities.
To Public Education.

HB 839 (by Driver), Relating to prohibiting discrimination by insurers in issuing health or life insurance policies to certain persons who are victims of family violence.
To Insurance.

HB 840 (by Hunter and Wise), Relating to the State Cemetery and the creation of the State Cemetery Committee.
To State, Federal & International Relations.

HB 841 (by Jackson and Gray), Relating to voting procedures for persons on a space flight.
To Elections.

HB 842 (by Telford), Relating to certain criminal background checks regarding applicants for and holders of social work licenses.
To Human Services.

HB 843 (by Swinford), Relating to the regulation by a county of fireworks during a drought period.
To State Affairs.

HB 844 (by McReynolds, et al.), Relating to the creation of the office of district attorney for Judicial District 1-A and to the abolition of the jurisdiction of the district attorney for the 1st Judicial District in Newton County.
To Judicial Affairs.

HB 845 (by McReynolds), Relating to the offense of making a false report to a peace officer or to an employee of a law enforcement agency.
To Criminal Jurisprudence.

HB 846 (by King), Relating to the exemption from ad valorem taxation of public property.
To Ways & Means.

HB 847 (by Goodman), Relating to standard orders for the possession of a child.
To Juvenile Justice & Family Issues.

HB 848 (by Goodman and Naishtat), Relating to guardians ad litem and child volunteer advocates in certain suits affecting the parent-child relationship.
To Juvenile Justice & Family Issues.

HB 849 (by Goodman), Relating to the protection or release of a trustee from liability under certain circumstances.
To Civil Practices.

HB 850 (by Goodman), Relating to trusts for certain minors or incapacitated persons.
To Civil Practices.

HB 851 (by Pitts), Relating to requiring alternative dispute resolution procedures in certain civil actions.
To Civil Practices.

HB 852 (by Delisi), Relating to tuition charged to certain students attending public schools.
To Public Education.

HB 853 (by Delisi), Relating to the prosecution of an offense related to the failure to maintain financial responsibility for a motor vehicle.
To Insurance.

HB 854 (by Wolens, et al.), Relating to Texas Higher Education Coordinating Board contracts with Texas Chiropractic College and Parker College of Chiropractic.
To Higher Education.

HB 855 (by McClendon, et al.), Relating to creating the Office of Natural Resource Public Interest Counsel; creating a criminal penalty.
To State Affairs.

HB 856 (by McClendon), Relating to the removal and suspension of judges in municipal courts of record in San Antonio.
To Judicial Affairs.

HB 857 (by D. Jones), Relating to the establishment of a paternity registry in the bureau of vital statistics; providing a penalty.
To Juvenile Justice & Family Issues.

HB 858 (by Goolsby), Relating to providing for open enrollment for a portion of those persons admitted as undergraduates at certain public institutions of higher education.
To Higher Education.

HB 859 (by Nixon), Relating to the procedural requirements and grounds for reversing a criminal case on appeal.

To Criminal Jurisprudence.

HB 860 (by Chisum), Relating to regulation of abortion facilities and the protection of the health of women; providing a penalty.

To State Affairs.

HB 861 (by Chisum and Finnell), Relating to requiring the state to reimburse counties for the costs of confining certain state inmates.

To Corrections.

HB 862 (by Chisum), Relating to credit in the Employees Retirement System of Texas for service as a peace officer.

To Pensions & Investments.

HB 863 (by Goodman), Relating to findings of fact and conclusions of law by a court in a suit for dissolution of marriage.

To Juvenile Justice & Family Issues.

HB 864 (by McCall), Relating to coverage under group health benefit plans for certain students.

To Insurance.

HB 865 (by Van de Putte), Relating to the powers and duties of peace officers commissioned by certain hospital districts.

To Public Safety.

HB 866 (by Van de Putte, et al.), Relating to authorizing harm reduction programs to reduce the risk of HIV infection and AIDS.

To Public Health.

HB 867 (by Yarbrough), Relating to requiring certain persons providing services to alcoholic beverage permit or license applicants to post a surety bond.

To Licensing & Administrative Procedures.

HB 868 (by Hirschi), Relating to placing a marker in the State Cemetery to honor certain persons.

To State, Federal & International Relations.

HB 869 (by Hirschi, et al.), Relating to speed limits for vehicles towing certain trailers.

To Transportation.

HB 870 (by Gutierrez, Flores, Wise, Solis, Hinojosa, et al.), Relating to the authority of certain federal peace officers to enforce state law relating to driving while intoxicated.

To Criminal Jurisprudence.

HB 871 (by Pitts), Relating to admonitions to defendants on the effects of a plea of guilty or nolo contendere in a criminal case.

To Criminal Jurisprudence.

HB 872 (by Jackson), Relating to the appraisal of certain real property located in more than one appraisal district.

To Ways & Means.

HB 873 (by Naishtat), Relating to municipal payroll deductions.
To Urban Affairs.

HB 874 (by Naishtat, et al.), Relating to credit in the Employees Retirement System of Texas for military service.
To Pensions & Investments.

HB 875 (by Naishtat), Relating to certain attorney employees of the state providing pro bono legal services.
To State Affairs.

HJR 64 (by Giddings), Proposing a constitutional amendment allowing investment of money from the Texas growth fund in a business without the business's disclosure of its investments in or with South Africa or Namibia.
To Pensions & Investments.

SB 145 to State Affairs.

SB 197 to Public Health.

SB 221 to Licensing & Administrative Procedures.

SB 223 to Licensing & Administrative Procedures.

SCR 12 to Rules & Resolutions

SIGNED BY THE SPEAKER

The following bills and resolutions were today signed in the presence of the house by the speaker:

House List No. 4

HCR 48, HCR 49

MESSAGES FROM THE SENATE

The following messages from the senate were today received by the house:

Message No. 1

MESSAGE FROM THE SENATE

SENATE CHAMBER

Austin, Texas

Wednesday, February 5, 1997

The Honorable Speaker of the House
House Chamber
Austin, Texas

Mr. Speaker:

I am directed by the Senate to inform the House that the Senate has taken the following action:

THE SENATE HAS PASSED THE FOLLOWING MEASURES:

HCR 41 Lewis, Glenn SPONSOR: Moncrief
Honoring Judge Byron Matthews.

SB 109 Haywood

Relating to the service areas of certain junior college districts.

SB 168 Haywood

Relating to performance incentives for high-performing public schools.

SB 249 Sibley

Relating to the telecommunications infrastructure fund.

SCR 11 Zaffirini

Congratulating and commending the Texas Health Care Council.

Respectfully,

Betty King

Secretary of the Senate

APPENDIX

ENROLLED

February 4 - **HCR 48, HCR 49**

SENT TO THE GOVERNER

February 4 - **HCR 3**